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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,291	03/04/2002	Leonel Ernesto Enriquez	50136SE1764TL	6622
27975	7590	04/06/2006	EXAMINER	
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			BRINEY III, WALTER F	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/090,291

Applicant(s)

ENRIQUEZ ET AL.

Examiner

Walter F. Briney III

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 21-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21, 22 and 24 is/are allowed.
- 6) ☒ Claim(s) 23 and 25-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 February 2006 has been entered.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. **Claims 23 and 25-32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, specifically, the addition of new matter.**

**Claims 23 and 25-32** contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

**With respect to claim 23**, it is noted that claim 21, from which claim 23 depends, recites, "a voltage regulator...being operative, for a first/second value of DC voltage...that is generated at said voltage-dividing node...to cause said first value of DC voltage to be provided by said voltage-dividing node/to limit the value of DC voltage

provided by said voltage-dividing node of said voltage divider...to said prescribed value of regulated DC voltage.” In contrast, claim 23 recites, “said voltage regulator has an input thereof coupled to receive said DC input voltage, and an output coupled to said input terminal of said voltage divider.” Observe that claim 21 recites limitations of the embodiment depicted in figures 3 and 4 while claim 23 recites limitations of the embodiment depicted in figure 2. Whereas claim 21 recites a voltage regulator being operative, for a first value of DC voltage that is generated at said voltage-dividing node, claim 23 essentially recites a voltage regulator being operative, for a first value of DC voltage that is generated at said voltage divider input terminal.

**With respect to claims 25-28**, it is noted that claim 25, from which claims 26-28 depend, recites, “in response to said DC input voltage having a DC voltage value...(a) causing the DC voltage that is generated at said voltage-dividing node of said voltage divider...to have said DC voltage value/(b) limiting the DC voltage that is generated at said voltage-dividing node of said voltage divider...to said prescribed value of regulated DC voltage.” In contrast neither the specification nor figures of the instant application disclose, teach or suggest such a limitation. While figure 2 depicts that a DC input voltage  $V_{bat}(\text{input})$  is monitored, the voltage at node 21 is determined by the voltage dividing resistors 22 and 23 as well as noise from ground reference node 25 and amplifier 10. The regulator 50 simply does not directly regulate the voltage at voltage dividing node 21. Figures 3 and 4 depict a voltage regulator that responds to the voltage at the voltage-dividing node 21, and not to the value of  $V_{bat}(\text{input})$ , and therefore, also fail to support the noted claim limitation.

**With respect to claims 29-32**, it is noted that claim 29, from which claims 30-32 depend, recites, “a voltage regulator...being operative to regulate a DC voltage...that is generated at said voltage-dividing node of said voltage divider...for said DC input voltage having a DC voltage less than/at or above said prescribed value of regulated DC voltage.” As shown in the rejections of claims 25-28, neither figures 2-4 nor the specification support monitoring a DC input voltage and regulating a voltage-dividing node based thereon. It is noted that the prior art regulator taught by McAndrews also fails to teach monitoring of a DC input voltage and regulating a voltage-dividing node as recited.

***Allowable Subject Matter***

The following is a statement of reasons for the indication of allowable subject matter:

**2. Claims 21, 22 and 24 are allowed.**

**Claim 21** is limited to “[An improvement] for use with a subscriber line interface circuit (SLIC).” This claim is drafted using the Jepson format as described in 37 CFR 1.75(e) (see MPEP § 608.01(m)), and is taken as an implied admission that the subject matter recited in the preamble is the prior art work of another. In this case, the preamble was shown to be obvious in view of Takato and McAndrews. However, neither Takato nor McAndrews teach, disclose or suggest “a voltage regulator...being operative, for a first/second value of DC voltage...that is generated at said voltage-dividing node of said voltage divider...to cause said first value of DC voltage to be

provided by said voltage-dividing node/to limit the value of DC voltage provided by said voltage-dividing node...to said prescribed value of regulated DC voltage. In contrast, the regulator 8c taught by McAndrews is operative for a first/second value of DC voltage that is generated at said input terminal of said voltage divider. Thus, claim 21 is allowable over the cited prior art.

**Claims 22 and 24** are limited in part to “the improvement according to claim 21,” and thus are allowable over the cited prior art for at least the same reasons presented supra.

### ***Response to Arguments***

Applicant's arguments with respect to claims 25-32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F. Briney III whose telephone number is 571-272-7513. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WFB

A handwritten signature in black ink, appearing to read 'Sinh Tran', with a stylized flourish at the end.

**SINH TRAN**  
**SUPERVISORY PATENT EXAMINER**